

REMARKS

Claims 1-7 and 9-25 are all the claims pending in the application. It is appreciated that the Examiner has allowed claims 1-7 and 9-21. The sole rejection of claims 22-25 in the Office Action of June 23, 2008, is addressed below.

Applicants amend claim 22 herein. Support for the amendment to claim 22, from which claims 23-25 depend, can be found, *inter alia*, in the specification at page 37, lines 4-26. No new matter is added.

Rejection under 35 U.S.C. § 112

Claims 22 - 25 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Office Action took the position that because claim 22 is directed to a toner which is obtainable by using the resin composition of claim 1, the claim does not discuss the manner in which the resin is to be used. It was thus alleged to be unclear if the resin serves as a component of the toner, or if the resin is used in some manufacturing step of producing the toner. Due to their dependency, the Office Action asserted that claims 23-25 were also indefinite.

Applicants respectfully traverse the rejection and amend claim 22 herein to recite "A toner comprising the resin composition for a toner according to claim 1." Support for the amendment to claim 22, from which claims 23-25 depend, can be found, *inter alia*, in the specification at page 37, lines 4-26. Claim 22 is thus definite in that it is directed toward a toner which comprises the resin composition for a toner according to claim 1.

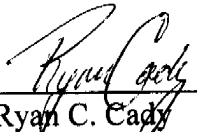
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/523,072 (Q85374)

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the Washington, D.C. telephone number listed below.

The U.S. Patent and Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

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